

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

SANZIDA AKTAR,

Petitioner,

v.

ELAINE C. DUKE et al.,

Respondents.

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Civ. No. 17-10691 (KM)

MEMORANDUM AND ORDER

KEVIN MCNULTY, U.S.D.J.

Petitioner, Sanzida Aktar, was, when she filed this proceeding by way of counsel, an immigration detainee being held at the Bergen County Jail, in Hackensack, New Jersey. Her habeas petition sought to stay her removal pending a decision by the Board of Immigration Appeals as to a motion to reopen her immigration proceedings. On November 2, 2017, the Court issued an Order to Show Cause that included a provision ordering that “pending further order of this Court any transfer of Petitioner outside of the District of New Jersey, including transporting Petitioner to any airport is hereby stayed.” (ECF No. 2.) The Court’s November 13, 2017 Order confirmed that the stay would remain in effect pending a decision. (ECF No. 8.)

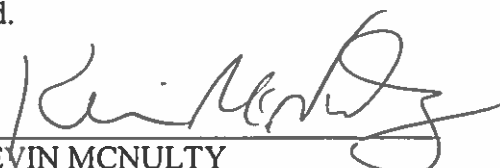
On December 21, 2017, Ms. Aktar’s counsel submitted a letter to the Court requesting dismissal of the proceeding as moot. (ECF No. 18.) She indicated that there was no present plan to remove Ms. Aktar and that should would proceed to seek a stay of removal from the Court of Appeals for the Eleventh Circuit. (*Id.*) Respondents confirmed their consent to the dismissal by way of a January 29, 2018 letter. (ECF No. 19.)

Accordingly, IT IS this 30th day of January 2018

ORDERED that the petition for writ of habeas corpus is dismissed under Federal Rule of Civil Procedure 41(a)(2) and upon consent of the parties; and it is further

ORDERED that the stay previously ordered by this Court is hereby terminated; and it is further

ORDERED that the Clerk shall mark this case as closed.



KEVIN MCNULTY
United States District Judge